

Arjun Vasan
arjun.vasan@gmail.com
12615 193rd Street
Cerritos, CA 90703
562-900-6541
Plaintiff in Pro Per

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

Arjun Vasan,
Plaintiff,
vs.
Checkmate.com, Inc.,
(dba "Checkmate"),
Defendant.

Case No.: 2:25-cv-00765-MEMF-JPR

Hon. Maame Ewusi-Mensah Frimpong

**PLAINTIFF'S REQUEST FOR
JUDICIAL NOTICE RE: TIMELY
REMOVAL OF NEW YORK STATE
CASE, TIMELY RESPONSE TO
COMPLAINT AND DEFENDANT'S
MOOT OBJECTION TO GRANTED
EXTENSION TO RESPOND; AND
DECLARATION OF ARJUN VASAN.**

Complaint Filed: January 28, 2025

TO THE HONORABLE COURT:

Plaintiff respectfully requests that the Court take judicial notice, pursuant to Federal Rule of Evidence 201(b), of certain facts reflected in the record of this case and in the related removed New York state action. Specifically, Plaintiff requests judicial notice of documents regarding: (1) Plaintiff's timely removal of the New York Supreme Court action; (2) Plaintiff's timely filing of

1 a response to Defendant's complaint; and (3) Defendant's subsequent objection to an already
2 granted extension of time for Plaintiff to respond.

3 Judicial notice is appropriate because these facts are not subject to reasonable dispute.
4 They are reflected in official court filings and docket entries whose accuracy cannot reasonably
5 be questioned. See Fed. R. Evid. 201(b); see also *United States v. Black*, 482 F.3d 1035, 1041
6 (9th Cir. 2007) (courts may take judicial notice of their own records and filings); *Reyn's Pasta*
7 *Bella, LLC v. Visa USA, Inc.*, 442 F.3d 741, 746 n.6 (9th Cir. 2006) (taking judicial notice of
8 filings in related litigation).

9
10 **FACTS & DOCUMENTS SUBJECT TO NOTICE:**

11 Plaintiff respectfully requests that the Court take judicial notice of the following:

- 12 1. April 12, 2025: Notice of Removal filed by Plaintiff of the New York State action (Case
13 No. 650913/2025), to the Southern District of New York (SDNY). (Ex. A)
- 14 2. April 12, 2025: Notice of Removal served to counsel for Checkmate. (Ex. B)
- 15 3. April 19, 2025: Plaintiff's request for extension to Hon. Judge Jesse Furman. (Ex. A)
- 16 4. April 19, 2025: Service to all 6 K&L Gates attorneys representing Checkmate. (Ex. C)
- 17 5. April 21, 2025: Pending approval of the extension, Plaintiff proceeds to timely file a
18 complete Motion to Quash Checkmate's complaint. (Ex. A)
- 19 6. April 22, 2025: Appearance of Thomas Warns, Esq., attorney for Checkmate, 10 days
20 after removal, in a case filed by Checkmate. (Ex. A)
- 21 7. April 22, 2025: Hon. Judge Furman grants Plaintiff's request for extension. (Ex. A)
- 22 8. April 24, 2025: Warns objects to Plaintiff's already-granted extension to respond. (Ex. D)

23
24 **RELEVANCE TO THIS MATTER**

25 Plaintiff intends to shortly file a Motion for Preliminary Injunction to Enjoin Defendant's
26 New York Action as duplicative, unnecessary and burdensome on judicial resources. These
27 documents relate to Defendant's concern or lack of concern for judicial economy.
28

1 **CONCLUSION**

2 For the foregoing reasons, Plaintiff respectfully requests that the Court take judicial
3 notice of the procedural facts and documents described above. Any necessary authentications are
4 provided by the declaration provided herewith.

5
6 **DECLARATION OF ARJUN VASAN**

7 I, Arjun Vasan, declare as follows:

- 8 1. I am the Plaintiff in this action, appearing in pro per. I have personal knowledge of the
9 facts set forth in this declaration and, if called upon to testify, could and would testify
10 competently to them under oath.
- 11 2. True and correct screenshots of the docket in the SDNY case are provided as **Exhibit A**.
- 12 3. **Exhibit B** is a true and correct copy of the April 12th service email for Removal.
- 13 4. **Exhibit C** is a true and correct copy of the April 19th service email for Extension.
- 14 5. **Exhibit D** is a true and correct copy of the April 24th Letter from Attorney Warns.

15
16 *I declare under penalty of perjury under the laws of the United States of America that the*
17 *foregoing is true and correct.*

18
19 Respectfully Submitted,

20
21 **Executed on:** Saturday, April 26, 2025,

22 In Cerritos, CA

/s/ Arjun Vasan

23
24 By: _____


25 **Arjun Vasan**
26 Plaintiff In Pro Per
27
28






EXHIBIT A

DOCKET REPORT

Exhibit A

S.D.N.Y 1:25-cv-03181-JMF

Date Filed	#	Docket Text
04/12/2025	<u>1</u>	NOTICE OF REMOVAL from Supreme Court, County of New York. Case Number: 650913/2025. Document filed by Arjun Vasan. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B.1, # <u>3</u> Exhibit B.2). (sac) (Entered: 04/17/2025)
04/12/2025	<u>2</u>	CIVIL COVER SHEET filed. (sac) (Entered: 04/17/2025)
04/12/2025		Case Designated ECF. (sac) (Entered: 04/17/2025)
04/12/2025		Magistrate Judge Jennifer Willis is designated to handle matters that may be referred in this case. Pursuant to 28 U.S.C. Section 636(c) and Fed. R. Civ. P. 73(b)(1) parties are notified that they may consent to proceed before a United States Magistrate Judge. Parties who wish to consent may access the necessary form at the following link: https://nysd.uscourts.gov/sites/default/files/2018-06/AO-3.pdf . (sac) (Entered: 04/17/2025)
04/17/2025		CASE MANAGEMENT NOTE: For each electronic filing made in a case involving a self-represented party who has not consented to electronic service, the filing party must serve the document on such self-represented party in a manner permitted by Fed. R. Civ. P. 5(b)(2) (other than through the ECF system) and file proof of service for each document so served. Please see Rule 9.2 of the courts ECF Rules & Instructions for further information. (sac) (Entered: 04/17/2025)
04/17/2025	<u>3</u> 	STANDING ORDER IN RE CASES FILED BY PRO SE PLAINTIFFS (See 24-MISC-127 Standing Order filed March 18, 2024). To ensure that all cases heard in the Southern District of New York are handled promptly and efficiently, all parties must keep the court apprised of any new contact information. It is a party's obligation to provide an address for service; service of court orders cannot be accomplished if a party does not update the court when a change of address occurs. Accordingly, all self-represented litigants are hereby ORDERED to inform the court of each change in their address or electronic contact information. Parties may consent to electronic service to receive notifications of court filings by email, rather than relying on regular mail delivery. Parties may also ask the court for permission to file documents electronically . Forms, including instructions

		without prejudice for failure to comply with this order. Such order will be sent to the plaintiffs last known address and will also be viewable on the court's electronic docket. A notice directing the parties' attention to this order shall be docketed (and mailed to any self-represented party that has appeared and has not consented to electronic service) upon the opening of each case or miscellaneous matter that is classified as pro se in the court's records. (Signed by Judge Laura Taylor Swain on 03/18/2024) (sac) (Entered: 04/17/2025)
04/17/2025		MAILING RECEIPT: Document No: 3. Mailed to: Arjun Vasan 12615 193rd Street Cerritos, CA 90703. (sac) (Entered: 04/17/2025)
04/18/2025	<u>4</u> 	NOTICE OF INITIAL PRETRIAL CONFERENCE: Within two business days of the date of this Order, Defendant is directed to serve on Plaintiff a copy of this Order and of the Court's Individual Rules and Practices in Civil Cases, and to file proof of such service on the docket. Counsel for Plaintiff is directed to file a notice of appearance on the docket within two business days of such service. SO ORDERED. (Signed by Judge Jesse M. Furman on 4/18/25) (yv) (Entered: 04/18/2025)
04/19/2025	<u>7</u> 	DEFENDANT'S MOTION FOR EXTENSION OF TIME TO RESPOND TO COMPLAINT. Document filed by Arjun Vasan. (ar) (Entered: 04/21/2025)
04/20/2025	<u>5</u> 	LETTER addressed to Judge Jesse M. Furman from Arjun Vasan dated 4/20/2025 re: Given the procedural urgency and the timing of my notice of docketing, I respectfully request that the Court consider this letter on an expedited basis. For the Courts convenience, I have attached a working draft of the motion I intend to file. Document filed by Arjun Vasan. (vfr) (Entered: 04/21/2025)
04/20/2025	<u>6</u> 	NOTICE OF SPECIAL APPEARANCE. Document filed by Arjun Vasan. (jjc) (Entered: 04/21/2025)
04/21/2025		MAILING RECEIPT: Document No: 4. Mailed to: Arjun Vasan 12615 193rd Street Cerritos, CA 90703. (tro) (Entered: 04/21/2025)
04/21/2025	<u>10</u> 	MOTION to Quash service of process under Fed. R. Civ. P. 12(b)(5). Document filed by Arjun Vasan.(km) (Entered: 04/23/2025)

DOCKET REPORT

Exhibit A

S.D.N.Y 1:25-cv-03181-JMF


04/21/2025	11	NOTICE OF SPECIAL APPEARANCE; AND MOTION TO QUASH SERVICE OF PROCESS. Document filed by Arjun Vasani. (mml) (Entered: 04/23/2025)
04/21/2025	12	DECLARATION OF ARJUN VASANI IN SUPPORT OF MOTION TO QUASH SERVICE OF PROCESS re: 11 MOTION to Quash. Document filed by Arjun Vasani. (mml) (Entered: 04/23/2025)
04/21/2025	13	PROPOSED ORDER GRANTING DEFENDANTS MOTION TO QUASH SERVICE OF PROCESS. Document filed by Arjun Vasani. (mml) (Entered: 04/23/2025)
04/22/2025	8	MEMO ENDORSED ORDER granting 7 Letter Motion for Extension of Time to Answer. ENDORSEMENT: Upon consideration of Defendant Arjun Vasani's Motion for Extension of Time to Respond to the Complaint, and for good cause shown, it is hereby: ORDERED that the Motion is GRANTED. Defendant shall file a responsive pleading on or before May 3, 2025. The Clerk of Court is directed to terminate ECF No. 7 and mail a copy of this Order to the Defendant. SO ORDERED. Arjun Vasani answer due 5/3/2025. (Signed by Judge Jesse M. Furman on 4/22/2025) (mml) (Entered: 04/22/2025)
04/22/2025	9	NOTICE OF APPEARANCE by Thomas Anthony Warns on behalf of Checkmate.com, Inc.. (Attachments: # 1 Affidavit of Service).(Warns, Thomas) (Entered: 04/22/2025)
04/22/2025	14	PROOF OF SERVICE of Notice of Initial Pretrial Conference (ECF No. 4) Hon. Jesse M. Furman's Individual Rules and Practices in Civil Cases served on Thomas Warns, Esq. and Ryan Keech, Esq. on 4/22/2025. Service was made by Email. Document filed by Arjun Vasani. (ar) (Entered: 04/23/2025)
04/23/2025		MAILING RECEIPT: Document No: 8. Mailed to: Arjun Vasani 12615 193rd Street Cerritos, CA 90703. (anc) (Entered: 04/23/2025)

04/24/2025	15	LETTER RESPONSE in Opposition to Motion addressed to Judge Jesse M. Furman from Thomas A. Warns dated April 24, 2025 re: 7 MOTION for Extension of Time to File Answer. . Document filed by Checkmate.com, Inc..(Warns, Thomas) (Entered: 04/24/2025)
04/24/2025	16	ORDER terminating 11 Motion to Quash. On April 21, 2025, Defendant filed a motion to dismiss the complaint under Rule 12(b) of the Federal Rules of Civil Procedure. Under Rule 15(a)(1)(B), a plaintiff has twenty-one (21) days after the service of a motion under Rule 12(b) to amend the complaint once as a matter of course. Accordingly, it is hereby ORDERED that Plaintiff shall file any amended complaint by May 12, 2025. Pursuant to Local Civil Rule 15.1, available at https://www.nysd.uscourts.gov/rules , any amended complaint should be filed with a redline showing all differences between the original and revised filings. Plaintiff will not be given any further opportunity to amend the complaint to address issues raised by the motion to dismiss.If Plaintiff does amend, by three (3) weeks after the amended complaint is filed, Defendant shall: (1) file an answer; (2) file a new motion to dismiss; or (3) file a letter on ECF stating that he relies on the previously filed motion to dismiss. If Defendant files an answer or a new motion to dismiss, the Court will deny the previously filed motion to dismiss as moot. If Defendant files a new motion to dismiss or indicates that he relies on its previously filed motion to dismiss, any opposition shall be filed within fourteen days, and any reply shall be filed within seven days of any opposition. If no amended complaint is filed, Plaintiff shall file any opposition to the motion to dismiss by May 12, 2025. Defendant's reply, if any, shall be filed by May 19, 2025. The Clerk of Court is directed to terminate ECF No. 11 (which is Defendant's memorandum, not the notice of his motion) and to mail this Order to the Defendant. SO ORDERED. (Signed by Judge Jesse M. Furman on 4/24/2025) (ar) (Entered: 04/24/2025)
04/24/2025		Set/Reset Deadlines: Amended Pleadings due by 5/12/2025. Responses due by 5/12/2025. Replies due by 5/19/2025. (ar) (Entered: 04/24/2025)

DOCKET REPORT

Exhibit A

S.D.N.Y 1:25-cv-03181-JMF

04/24/2025		Set/Reset Deadlines: Amended Pleadings due by 5/12/2025. Responses due by 5/12/2025. Replies due by 5/19/2025. (ar) (Entered: 04/24/2025)
04/24/2025	17 	CERTIFICATE OF SERVICE of April 24, 2025 Letter to Judge Jesse M. Furman in Response to Defendant's Request for Extension of Time served on Arjun Vasan (Plaintiff Pro Se) on April 24, 2025. Service was made by Mail. Document filed by Checkmate.com, Inc...(Warns, Thomas) (Entered: 04/24/2025)
04/25/2025		MAILING RECEIPT: Document No: 16. Mailed to: Arjun Vasan 12615 193rd Street Cerritos, CA 90703. (vba) (Entered: 04/25/2025)

PACER Service Center**Transaction Receipt**

04/26/2025 21:16:28

PACER Login:	argumentum	Client Code:	
Description:	Docket Report	Search Criteria:	1:25-cv-03181-JMF
Billable Pages:	3	Cost:	0.30

EXHIBIT B



Arjun Vasan <arjun.vasan@gmail.com>

Service of Notice of Removal – Checkmate.com, Inc. v. Arjun Vasan, Index No. 650913/2025

1 message

Arjun Vasan <arjun.vasan@gmail.com>

Sat, Apr 12, 2025 at 10:23 AM

To: zach.jones@klgates.com, tom.warns@klgates.com, "Keech, Ryan Q." <ryan.keech@klgates.com>, "Makitalo, Rebecca I." <rebecca.makitalo@klgates.com>, "Huey, Gabriel M." <Gabriel.Huey@klgates.com>, "Chiu, Stacey G." <Stacey.Chiu@klgates.com>

Dear Counsel,

Pursuant to 28 U.S.C. § 1446(d), please find attached the Notice of Removal filed today in the United States District Court for the Southern District of New York in connection with *Checkmate.com, Inc. v. Arjun Vasan*, Index No. 650913/2025 (filed by your client in New York State Supreme Court). The filing includes the following documents:

1. Notice of Removal
2. Civil Cover Sheet (JS-44)
3. Exhibit A – Summons, Complaint, Request for Judicial Intervention, and Affidavit of Service
4. Exhibit B – Notice of Pendency filed in the related California action

A copy of this Notice is also being filed with the Clerk of the New York Supreme Court, County of New York.

Please consider this email service upon Plaintiff in accordance with federal procedural rules. If you object to service by email, please notify me immediately and indicate your preferred method of service.

Respectfully,

Arjun Vasan


12615 193rd Street

Cerritos, CA 90703

(562) 900-6541

arjun.vasan@gmail.com

4 attachments

 **Notice_of_Removal_SDNY_April2025.pdf**
160K

 **Exhibit A - 650913_2025_Checkmate_com_Inc_v_Arjun_Vasan_SUMMONS____COMPLAINT_1_RJI_AFFADAVIT.pdf**
1801K

 **Exhibit B - Notice of Pendency.pdf**
16620K

 **Civil Cover Sheet.pdf**
1439K

EXHIBIT C



Arjun Vasan <arjun.vasan@gmail.com>

Service of Motion for Extension of Time – Checkmate.com, Inc. v. Vasan, 1:25-cv-03181-JMF

1 message

Arjun Vasan <arjun.vasan@gmail.com>

Sat, Apr 19, 2025 at 8:24 AM

To: zach.jones@klgates.com, tom.warns@klgates.com, "Keech, Ryan Q." <ryan.keech@klgates.com>, "Makitalo, Rebecca I." <rebecca.makitalo@klgates.com>, "Huey, Gabriel M." <Gabriel.Huey@klgates.com>, "Chiu, Stacey G." <Stacey.Chiu@klgates.com>

Counsel,

Please find attached a copy of my Motion for Extension of Time to Respond to the Complaint, which I have filed today with the U.S. District Court for the Southern District of New York. I am proceeding pro se and currently finalizing my ECF registration.

This constitutes service under Federal Rule of Civil Procedure 5(b)(2)(E).

Respectfully,

Arjun Vasan

562-900-6541

arjun.vasan@gmail.com

 **extension.pdf**
225K

EXHIBIT D

The logo for K&L GATES, featuring the text "K&L GATES" in a white, sans-serif font on a dark blue rectangular background.

Thomas A. Warns
Partner
tom.warns@klgates.com

April 24, 2025

T +1 212 536 4009
F +1 212 536 3901

Hon. Jesse M. Furman
Thurgood Marshall Courthouse
40 Foley Square
New York, NY 10007

Re: Checkmate.com Inc. v. Arjun Vasan, Case No. 25-cv-03181-JMF - Response to Defendant's Request for Extension

Dear Judge Furman,

I write on behalf of Checkmate.com, Inc. ("Checkmate") in opposition to the recent letter from *pro se* Defendant Arjun Vasan requesting a 14-day extension of time to file a responsive pleading in this matter, as well as to provide your Honor with additional context regarding the timeline of this dispute. Mr. Vasan's proposed two-week extension is entirely unnecessary given the amount of time that he has been on notice of the Complaint filed against him in New York State Court.

Last week, Mr. Vasan decided (without conferring with counsel for Plaintiff) to remove this case from New York State Court, where it has been pending since Checkmate filed its Complaint on February 14, 2025. Despite having received a copy of the initial pleadings in this case as early as March 4, Mr. Vasan has apparently made no attempt to secure counsel, and did not file any response or even make an appearance in the state court matter until purportedly filing his notice of removal on April 12th (although the removal filing was docketed on April 17th).

Granting Mr. Vasan an additional two weeks here would mean that he will have had nearly two months after initial service of the Complaint to respond. While we are aware that Mr. Vasan now appears to be challenging the adequacy of service of process against him, the truth is that Mr. Vasan was sending letters referencing the Complaint and threatening sanctions against counsel for Checkmate only a few days after the Complaint was (properly) served on him in early March.

While Plaintiff reserves the right to respond to Mr. Vasan's inadequate service of process arguments at a later date when those arguments are properly presented, two months to file a responsive pleading seems excessive given 1) the relatively short length of the Complaint 2) the fact that a Defendant would typically only receive 21 days to respond in a normal case and 3) Mr.

Vasan's repeated (and inexplicable) delays in this case. As a result, Checkmate respectfully asks that such request be denied, or that Defendant's deadline to respond to the Complaint be extended by a shorter and more appropriate length of time.

Checkmate reserves all rights and waives none.

Respectfully,

/s/ Thomas A. Warns

Thomas A. Warns
Partner